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October 20, 2022

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**VIA ECF**

The Honorable Yvonne Gonzalez Rogers  
United States District Judge  
1301 Clay Street, Oakland, CA 94612

RE: *In re: Social Media Adolescent Addiction/Personal Injury Prod. Liab. Litig., MDL No. 3047*

Your Honor:

I respectfully apply to serve as Co-Lead Counsel in this litigation. (See Dkt. 2.) The breadth and complexity of this MDL require a robust leadership with interdisciplinary strengths, formidable resources, and dedication to cooperation. I have two decades of experience at Lieff Cabraser Heimann & Bernstein (“LCHB”) prosecuting mass torts and other complex cases, including leading litigations with hundreds of lawyers and thousands of claimants to successful resolution, and I have expertise in cases involving addiction and complex ESI. I am honored to have the support of an experienced and diverse group of colleagues for my application.<sup>1</sup>

**Professional Experience in This Type of Litigation.**

I am Chair of LCHB’s Mass Torts Practice Group and have extensive experience in complex litigation from my 20 years of practice. My background is particularly strong in managing large teams of lawyers through pre-trial phases, interfacing with the court on case management and through oral argument, handling scientific experts, and negotiating e-discovery. Significant resources are needed to steer this litigation to a just and efficient resolution, and my firm regularly invests in doing so in similarly large and challenging cases.

I am currently Interim Co-Lead Counsel in the class action lawsuit related to the oil spill that occurred off the coast of Orange County in October 2021, *Gutierrez, et al. v. Amplify Energy Corp., et al.*, 8:21-cv-1628 (C.D. Cal.), a large part of which recently resolved within one year of the spill, with the settlement pending court approval. I am also court-appointed Co-Lead

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<sup>1</sup> Exhibit C sets forth this support. My experience is also set forth in Exhibit A (Resume), and judges before whom I have appeared are listed in Exhibit B (Judges and Contact Information).

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counsel in two JCCPs in Los Angeles County Superior Court arising from utility-caused wildfires, *Southern California Fire Cases*, JCCP No. 4965, and *Woolsey Fire Cases*, JCCP No. 5000. These litigations involve thousands of plaintiffs whose homes burned down in the fires. Shortly before a multi-plaintiff bellwether trial, both JCCPs entered into a settlement protocol the Co-Leads negotiated, through which over 2,000 cases have resolved to date, for a recovery of well over \$1 billion. These JCCPs are well into the settlement phase with only a small number of opt-outs in active litigation.

In the Abilify MDL I served on the Plaintiffs' Executive Committee and Co-Chaired the Science and Expert Sub-Committee in *In re: Abilify Prods. Liab. Litig.*, MDL 2734 (N.D. Fl.), which was about a drug that caused addictive/compulsive behavior, and thereby became immersed in the science of addiction. I led the development of key plaintiffs' experts, and put on and crossed experts at the *Daubert* hearing. I again dealt with addiction issues in co-leading the development of the regulatory expert for the Opioids MDL, *In Re National Prescription Opiate Litigation*, MDL 2804 (N.D. Ohio). I also served on the Plaintiffs' Steering Committee and as Co-Chair of the Plaintiffs' Science and Experts Committee in the *In Re: Benicar (Olmesartan) Products Liability Litigation*, MDL 2606 (D.N.J.). As the bedrock for my skills in complex litigation, in my first MDL experience as a young lawyer, in the Blood Factor MDL, No. 986 (N.D. Ill) on behalf of hemophiliacs worldwide infected with HIV by blood products, I managed discovery on behalf of thousands of plaintiffs from 15 countries, and handled relations with international co-counsel in multiple languages. I also helped to negotiate a one-of-a-kind worldwide settlement in the case and oversaw its implementation.

The Daily Journal named me to its 100 "Top Women Lawyers in California" in 2020 and 2021. The National Law Journal named me to its "Elite Women of the Plaintiffs Bar" list for 2021. I was also named "Lawyer of the Year" by Best Lawyers in America for Mass Tort Litigation/Class Actions-Plaintiffs for Northern California in 2017.

**Willingness and Ability Immediately to Commit to Time-Consuming Litigation.**

My experience in leadership roles in complex litigation, including large coordinated proceedings, has given me a serious appreciation of the commitment of time and resources necessary for effective leadership. I can confirm that my other current responsibilities, and my firm's backing and resources, allow me to make that commitment here. The highly experienced and diverse LCHB team anticipated to work on this matter also includes partners Elizabeth J. Cabraser, Jason L. Lichtman, Kelly K. McNabb, and Tiseme Zegeye, along with associates Ian Bensberg, Miriam Marks, Danna Elmasry, and Jahi Liburd.

**Willingness and Ability to Work Cooperatively with Others.**

The scope of this MDL, its groundbreaking and highly-technical nature, and the fact that a number of the world's largest corporations are parties to it make effective cooperation paramount, both among plaintiffs' counsel and across the aisle with defense counsel. As one

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example, preservation and discovery of electronic evidence will pose unique challenges in the context of this case, which will require persevering in collaborative efforts to surmount.

Efforts to coordinate with other plaintiffs' counsel with diverse skills and backgrounds, many of whom support this application, are well underway, and will prepare us to efficiently prosecute this matter in keeping with Rule 1. I have given presentations to and led discussions with these lawyers on issues of import to the case, and consider my communication skills and academic training in cultural anthropology assets in forging strong working relationships.

**Access to Resources to Prosecute the Litigation in a Timely Manner.**

LCHB is a 126-plus lawyer AV-rated firm founded in 1972, headquartered in San Francisco with offices in New York and Nashville. As one of the nation's largest plaintiffs-side firms, we can and will commit the human and financial resources necessary to prosecute this litigation. We have served as court-appointed plaintiffs' lead counsel in hundreds of coordinated and complex litigations throughout the country. Recent examples in this District include *In re Volkswagen "Clean Diesel" Litigation* (MDL 2672), *In re McKinsey & Co., Inc. National Prescription Opiate Consultant Litig.* (MDL 2996), and *In re Juul Labs* (MDL 2913). The Juul litigation, like this matter, involves addiction injuries to adolescents. LCHB is also Co-Lead Trial Counsel in the current Opioids MDL bellwether trial before Judge Breyer on behalf of the City of San Francisco.

LCHB also has deep background in litigation with large tech companies, including in *Campbell v. Facebook* (intercepting private data), 4:13-cv-5996 (N.D. Cal.), and *Matera v. Google* (unauthorized scanning of e-mails), 5:15-cv-4062 (N.D. Cal.); and cases involving invasion of children's privacy such as *McDonald v. Kiloo A/S*, 3:17-cv-4344 (N.D. Cal.); *Rushing v. ViacomCBS Inc.*, 3:17-cv-4492 (N.D. Cal.). The technical expertise required in these cases will bring significant value to this litigation.

We have contributed substantial sums to fund the work of mass actions repeatedly in the past, and we are able and prepared to do so in this case. Additionally, LCHB's main office is located near the Court. We have extensive facilities necessary to host depositions and conferences and to serve as trial team headquarters.

LCHB represents dozens of teenagers who have suffered from severe eating disorders caused by Instagram, including in eight cases filed to date. I look forward to the opportunity to advance this litigation using the skills, experience and resources outlined above.

Respectfully submitted,



Lexi J. Hazam